

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

VOGT PROPERTIES, INC.,

Plaintiff,

VS.

**PHILADELPHIA INDEMNITY
INSURANCE COMPANY,**

Defendant.

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CIVIL ACTION NO. 4:17-cv-00506
(HON. AMOS L. MAZZANT)

**AGREED JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff Vogt Properties, Inc. (“Plaintiff”) and Defendant Philadelphia Indemnity Insurance Company (“Defendant”) jointly stipulate to the dismissal with prejudice of all claims Plaintiff asserted or could have asserted against Defendant in this case, and all claims Defendant asserted or could have asserted against Plaintiff in this case, as such parties have agreed upon the settlement and compromise of all claims, and the Court has approved such settlement and compromise. Each party has agreed to bear its own attorneys’ fees and costs.

Dated: October 30, 2017

Respectfully submitted,

/s/ Kelly Utsinger

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2017, a true and correct copy of the foregoing *Agreed Joint Stipulation of Dismissal with Prejudice* was forwarded to all other counsel of record by electronic filing through the electronic case filing system for the United States District Court for the Eastern District of Texas.

/s/ Benjamin D. Doyle
Benjamin D. Doyle